



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: State Board of Health

Subject of possible rule making: WAC 246-290-460, Fluoridation of drinking water.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050(2)

Reasons why rules on this subject may be needed and what they might accomplish: WAC 246-290-460 sets the fluoridation concentration range for Group A public water systems that fluoridate. On April 27, 2015, the U.S. Department Health and Human Services (HHS) released a recommendation for the optimal fluoride level in drinking water to prevent tooth decay. The new recommendation is for a single level of 0.7 milligrams of fluoride per liter of water. The State Board of Health (board) will consider revising WAC 246-290-460 based on the new recommendation and consider notification requirements. The board will also make editorial and clarifying changes as needed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The U.S. Environmental Protection Agency (EPA) regulates the maximum level of fluoride in Group A public water systems under the Safe Drinking Water Act. The federal regulations set the maximum allowable level in drinking water to protect public health. The HHS recommended level considered optimal for cavity prevention is much lower than the maximum level of fluoride allowed in public drinking water supplies by EPA. The State Board of Health will assure the allowed fluoridation level set in WAC 246-290-460 is under the maximum level allowed by EPA.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) The State Board of Health will use a collaborative rule making process, seeking input from interested parties. Outreach efforts will include providing information on our web page, www.sboh.wa.gov, the Department of Health, Office of Drinking Water web page at www.doh.wa.gov/CommunityandEnvironment/DrinkingWater and using email contact lists of Group A public water system stakeholders.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested parties can participate in the development of a proposed rule by submitting comments to the State Board of Health at wsboh@doh.wa.gov.

For additional information contact David DeLong, Health Policy Analyst, State Board of Health, PO Box 47990, Olympia, Washington 98504-7990.

Email: david.delong@doh.wa.gov; Phone: 360-236-4111; FAX 360-236-4088

DATE 07/29/15

NAME (TYPE OR PRINT)

Michelle A. Davis

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 29, 2015

TIME: 2:07 PM

WSR 15-16-053